

June 26, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXASBY: CV  
DEPUTY

## Attachment 2 - EEOC Complaint Form

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DIVISIONTiffany Hurst

(Name of plaintiff or plaintiffs)

Civil Action Number:

6:23cv 468

v.

Mac Donald Properties(Supplied  
by Clerk's Office)

(Name of defendant or defendants)

COMPLAINT

1. This action is brought by Tiffany Hurst, Plaintiff,  
pursuant to the following selected jurisdiction:

(Please select the applicable jurisdiction)

- ☐ Title VII of the Civil Rights Act of 1964 (42 USC §§ 2000e et seq.) Employment  
Discrimination on the basis of race, color, sex (gender, pregnancy and sexual harassment),  
religion or national origin.
- ☐ The Age Discrimination in Employment Act (29 USC §§ 621 et seq.) (ADEA).
- ☒ The Americans With Disabilities Act (42 USC §§ 12102 et seq.) (ADA).
- ☐ The Equal Pay Act (29 USC § 206(d)) (EPA).
- ☐ The Rehabilitation Act of 1973 (29 USC § 791 et seq.) (Applicable to federal employees  
only).

2. Defendant Mac Donald Properties (Defendant's name) lives  
at, or its business is located at 2951 Fall Creek Rd  
(street address), Kerrville (city), TX  
(state), 78028 (zip).

- 3a. Plaintiff sought employment from the defendant or was employed by the defendant at Brookview Village 1000 Brookview Drive (street address), (city), Copperas Cove (state), TX 76522 (zip).
- 3b. At all relevant times of claim of discrimination, Defendant employed 15+ (#) employees. If defendant is a union, at all relevant times of claim of discrimination, Defendant had \_\_\_\_\_ (#) members.
4. Defendant discriminated against plaintiff in the manner indicated in paragraph 8 of this complaint on or about MARCH (month) 10 (day) 2021 (year). If incidents of discrimination occurred more than one day, please indicate the beginning and ending dates of such acts: Terminated two days after I told Property manager I was unable to perform an assignment due to my disability
5. Plaintiff filed charges against the defendant with the Equal Employment Opportunity Commission (E.E.O.C.) charging defendant with the acts of discrimination indicated in paragraph 7 of this complaint on or about MARCH (month) \_\_\_\_\_ (day) 2021 (year). (Not applicable to federal civil service employees).
- 6a. The E.E.O.C. issued a **Notice of Right to Sue** which was received by plaintiff on (month) April (day) 24, 2023 (year). (Not applicable to ADEA and EPA claims or federal civil service employees).

**VERY IMPORTANT NOTE:**

**PLEASE ATTACH A COPY OF YOUR NOTICE OF RIGHT TO SUE AND THE ENVELOPE IN WHICH IT WAS RECEIVED TO THIS COMPLAINT.**

- 6b. Please indicate below if the E.E.O.C issued a **Determination** in your case:

☒ Yes  
☐ No

**VERY IMPORTANT NOTE:**

**IF YOU CHECKED "YES", PLEASE ATTACH A COPY OF THE E.E.O.C.'S DETERMINATION TO THIS COMPLAINT**

7. Because of plaintiff's:

(Please select the applicable allegation(s))

- ☐ Race (If applicable, state race) \_\_\_\_\_
- ☐ Color (If applicable, state color) \_\_\_\_\_

- ☐ Sex (gender, pregnancy or sexual harassment) (If applicable, state sex and claim)
- ☐ Religion (If applicable, state religion) \_\_\_\_\_
- ☐ National Origin (If applicable, state national origin) \_\_\_\_\_
- ☐ Age (If applicable, state date of birth) \_\_\_\_\_
- ☒ Disability (If applicable, state disability) \_\_\_\_\_
- ☐ Prior complaint of discrimination or opposition to acts of discrimination.  
(Retaliation) (If applicable, explain events of retaliation) \_\_\_\_\_

The defendant: **(please select all that apply)**

- ☐ failed to employ plaintiff.
- ☒ terminated plaintiff's employment.
- ☐ failed to promote plaintiff.
- ☐ harassed plaintiff.
- ☐ other (specify) \_\_\_\_\_

- 8a. State **specifically** the circumstances under which defendant, its agent, or employees discriminated against plaintiff **PERSONALLY**:

**VERY IMPORTANT NOTE:** INCLUDE SPECIFIC DATES, SPECIFIC EVENTS,  
AND ANY SPECIFIC COMMENTS MADE BY  
DEFENDANT PERTAINING TO THE  
DISCRIMINATION CLAIM ALLEGED ABOVE.

please see attached

- 8b. List any **witnesses** who would testify for plaintiff to support plaintiff's allegations and the substance of their testimony:

- 8c. List any **documentation** that would support plaintiff's allegations and explain what the documents will prove: *Indeed Job Posting - no lifting listing in job duties which is why I applied.*  
*Separation Report - Employer terminated me for not being able to occasionally lift. The law only requires me to be able to perform the essential part of job.*

9. The above acts or omissions set forth in paragraphs 7 and 8 are:

- ☐ still being committed by defendant.  
☒ no longer being committed by defendant.

10. Plaintiff should attach to this complaint a copy of the charge filed with the Equal Employment Opportunity Commission. This charge is submitted as a brief statement of the facts supporting this complaint.

WHEREFORE, plaintiff prays that the Court grant the following relief to the plaintiff:

- ☐ Defendant be directed to employ plaintiff.  
☐ Defendant be directed to re-employ plaintiff.  
☐ Defendant be directed to promote plaintiff.  
☒ Defendant be directed to \_\_\_\_\_  
and that the Court grant such other relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

19 June 2023  
Date  
Jiffany Hurst  
Signature of Plaintiff  
3004 Bastion Loop  
Address of Plaintiff  
Killen TX 76542  
City State Zip Code

Telephone Number(s) 254-220-9173

Tiffany Hurst  
3004 Baston LP  
Killeen TX 76542

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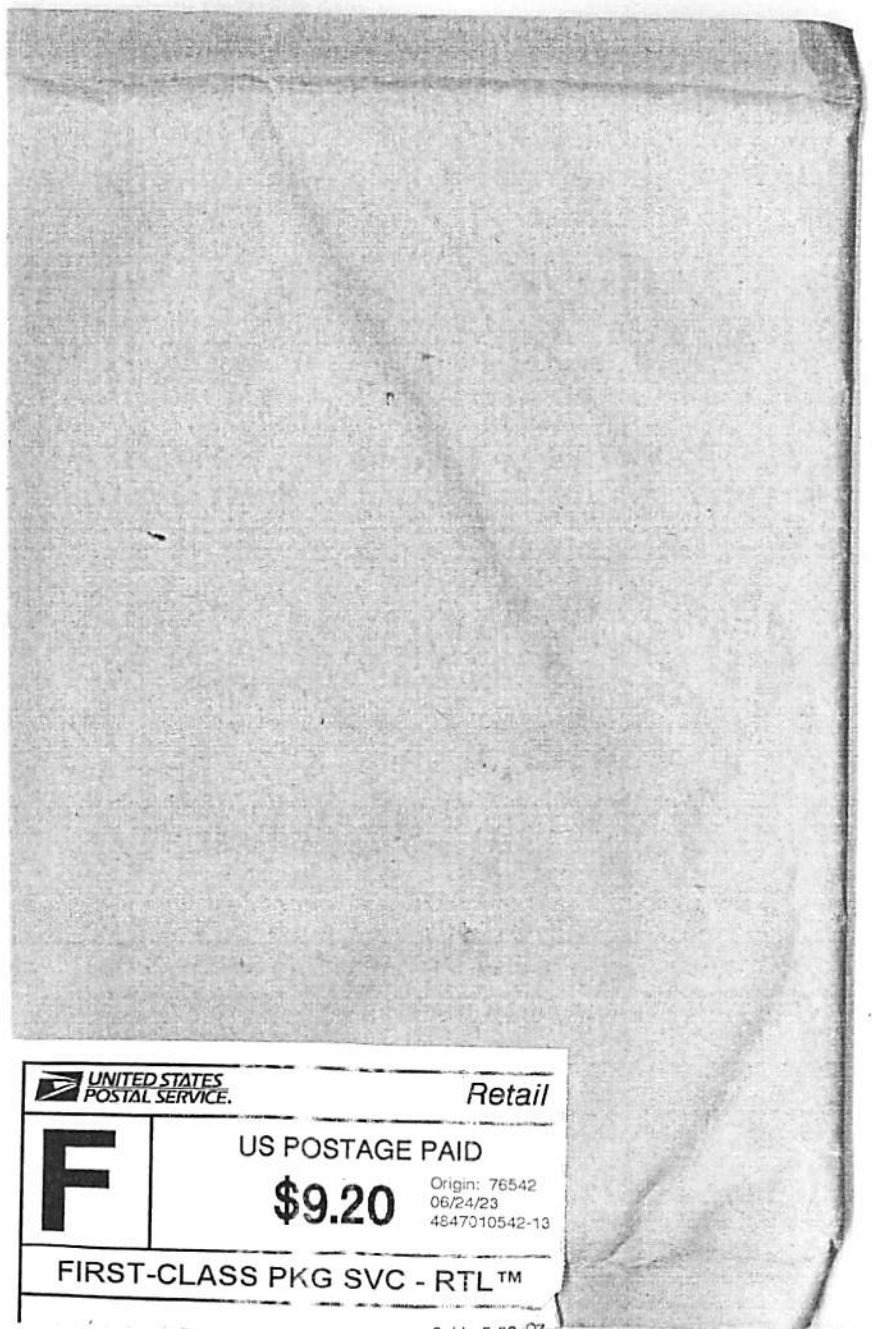
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WESTERN DISTRICT OF TEXAS  
BY \_\_\_\_\_ DEPUTY CLERK

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